

THE HONORABLE RICARDO S. MARTINEZ

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

UTHERVERSE GAMING LLC,

Plaintiff,

v.

EPIC GAMES, INC.,

Defendant.

Case No. 2:21-cv-00799-RSM

**ORDER ACCEPTING JOINT STATUS  
REPORT**

Having considered the Parties' Joint Status Report and proposed trial schedule, IT IS  
HEREBY ORDERED that the Report and schedule is accepted.

1. The Court accepts the issues for trial as Utherverse Gaming's allegations of Epic's direct infringement of claims 2, 5 and 8 (collectively "the Asserted Claims") of U.S. Patent No. 9,724,605 ("the '605 Patent"), and Epic's defense and counterclaim of noninfringement and affirmative defense and counterclaim of invalidity of the Asserted Claims of the '605 Patent.

2. The Court understands the Parties will participate in alternative dispute resolution before trial and will schedule a neutral third-party-directed mediation prior to the filing the Joint Pretrial Order.

3. The Court sets the following deadlines:

Deadline	Task	Includes
July 22, 2024	Parties exchange proposed jury instructions and proposed verdict form	
July 22, 2024	Plaintiff's Pretrial Statement	Brief statement as to: <ol style="list-style-type: none"> <li>1. Federal Jurisdiction</li> <li>2. Claims</li> <li>3. Admitted Facts</li> <li>4. Issues of Law</li> </ol> Witness list and expected testimony Exhibit list Deposition designations
August 5, 2024	Defendant's Pretrial Statement  Defendant's objections to Plaintiff's: Witness List, Exhibit List, and Depo Designations  Defendant's Counter Depo Designations	Brief statement as to: <ol style="list-style-type: none"> <li>1. Federal Jurisdiction</li> <li>2. Affirmative defenses</li> <li>3. Admitted Facts</li> <li>4. Issues of Law</li> </ol> Witness list and expected testimony Exhibit list Affirmative Deposition designations

Deadline	Task	Includes
August 12, 2024	Parties exchange redlines of jury instructions, verdict form	
August 19, 2024	Plaintiff's objections to Defendant's: Witness List, Exhibit List, Depo Designations, and Counter Depo Designations  Plaintiff's Counter Depo Designations  Plaintiff's Rebuttal Exhibit List (Invalidity)	
August 27, 2024	Meet and Confer re: Joint Proposed Pretrial Order	
August 27, 2024	Defendant's objections to Plaintiff's Counter Depo Designations  Defendant's objections to Plaintiff's Rebuttal Exhibit List	
August 30, 2024	Motions in Limine Due	
September 6, 2024	Joint Proposed Pretrial Order  Submit combined Jury instructions with color coded not agreed to instructions (red for Plaintiff, blue for Defendant)  Submit proposed verdict form	Brief statement as to: 1. Federal Jurisdiction 2. Claims and defenses 3. Admitted Facts 4. Issues of Law Witness list and expected testimony Exhibit list w/objections Proposed deadline as to voir dire
September 9, 2024	Response to Motions in Limine Due	
September 13, 2024	Noting date for Motions in Limine	
September 23, 2024	Pretrial conference	
October 7, 2024	Trial Date	

1           4. Trial in this matter is anticipated to last 4 to 5 days and will begin October 7, 2024.  
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3           DATED this 5<sup>th</sup> day of March, 2024.  
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7           RICARDO S. MARTINEZ  
8           UNITED STATES DISTRICT JUDGE  
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